

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

January 6-10, 2003

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
1-7 (clarifying decision issued 12-30-02)	EX	76/314,289	Atico Int'l. USA Inc.	Cissel Hairston* Drost	2(d)	Refusal Affirmed as to applicant's footwear in Cl. 25, but only as to cited registration of "SHORELINE" and design for t-shirts; Refusal Reversed as to applicant's sunglasses, in Cl. 9		"SHORELINE" [sunglasses (in Cl. 9); footwear, namely, flip-flops and aqua shoes (in Cl. 25)]	<i>4 cited registrations, the first two owned by the same entity:</i> "SHORELINE" [apparel, namely, rainwear]; "SHORELINE" (and design) [t-shirts]; "SHORELINE BOARD SHOP" (and design) [retail store services in the field of sporting equipment]; "SHORELINE" [binoculars and parts therefor]	Ringle	No
1-7	EX	75/795,407	F. Merrill Matlovich	Simms* Holtzman Rogers	2(e)(1)	Refusal Affirmed		"DOTSEX" [promoting the goods and services of others in the fields of soft-core and hard-core pornographic photography by providing a Web site at which member can link to the Web sites of others]		Suarez	No
1-7	OPP (SJ)	122,612	Westheimer Corp. v. Noriyuki Yusa	Quinn Bucher Bottorff [Opinion "By the Board" (Kuhlke)]	2(d) [priority]	Opposition Dismissed (subject to applicant's establishment of constructive use)	"MOSRITE" [acoustic and electric guitars]	"M MOSRITE" (and design) [guitars]			No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration (2) *=Opinion Writer; (D)=Dissenting Panel Member

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1-7	EX	75/900,788	Ruffin Gaming, LLC	Hohein* Walters Bucher	2(e)(1)	Refusal Affirmed		"LOMBARD STREET" [entertainment services, namely, live performances by a musical band, amusement arcades, casino services, theatrical performances, vaudeville and comedy performances; hotel services, restaurant services, nightclub services, café services and providing convention facilities]		Holtz	No
1-8	EX	75/911,677	Lufthansa Cargo AG	Walters Chapman* Rogers	2(d)	Refusal Affirmed		"CARE /td" (and design) [transportation of cargo, passengers and/or goods by air, train, and truck, and warehouse and cargo storage]	"CARES" [land and air freight forwarding and shipping services]	First	No
1-8	EX	75/547,477	QVC, Inc.	Seeherman Hohein Hairston*	2(d)	Refusal Affirmed		"Q RECORDS" [musical sound recordings]	"Q" (and design) [pre-recorded media featuring music and/or other entertainment, namely, audiotapes, compact discs, laser discs, phonograph records, cinematographic films, and video cassettes]	Griffin	No

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